

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **Palatable Micro-Capsules**, which is described and claimed in

- ☐ the attached specification.
☐ the specification in application _____, filed on _____
and amended on _____ (if applicable).
☒ international (PCT) application No. **PCT/GB2004/001072**, filed on **12 March 2004**
and as amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to be material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

Foreign Application(s) and/or Claim of Foreign Priority

I hereby claim foreign priority benefits under Title 35, United States Code Section 119 of any foreign application(s) for patent or inventor(s) certificate listed below and have also identified below any foreign application for patent or inventor(s) certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE FILED	PRIORITY CLAIMED UNDER 35 U.S.C. 119
Great Britain	0306933.3	26 March 2003	YES: <input checked="" type="checkbox"/> NO: <input type="checkbox"/>

Provisional Application

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below:

APPLICATION SERIAL NUMBER	FILING DATE

U.S. Priority Claim

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NUMBER	FILING DATE	STATUS(patented/pending/abandoned)

Power of Attorney

I hereby appoint all attorneys associated with **Customer Account No. 23598** to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Timothy E. Newholm, Reg. No. 34,400	James F. Boyle, Reg. No. 33,653
David D. Stein, Reg. No. 40,828	Michael J. Gratz, Reg. No. 39,693
Peter C. Stomma, Reg. No. 36,020	Andrew S. McConnell, Reg. No. 32,272
Mathew E. Corr, Reg. No. 45,434	Jay G. Durst, Reg. No. 41,723;
Mollie A. Newcomb, Reg. No. 50,915	William T. Kryger, Reg. No. 53,163

Address all telephone calls to: **Timothy E. Newholm** at telephone number (414) 225-9755, facsimile number (414) 225-9753.

Address all correspondence to: **The address associated with Customer Account No. 23598**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name): Michael Crothers

Inventor's signature: _____ Date: _____
Residence: Manchester, Great Britain Citizenship: Great Britain
Post Office Address: Flat 13, 139 Lapwing Lang, Didsbury
Manchester, Great Britain M20 6US

(signatures continue – if applicable)

Inventors: Michael Crothers, Stephen C. Duckham, and Gordon Nelson

Title: *Pharmaceutical Composition Comprising Fungal Cell or Fragment Thereof*

Full name of second inventor (given name, family name): Stephen C. Duckham

Inventor's signature: _____ Date: _____

Residence: Merseyside, Great Britain Citizenship: Great Britain

Post Office Address: 29 Highmarsh Crescent, Newton-le-Willows

Merseyside, Great Britain WA12 9WE

Full name of third inventor (given name, family name): Gordon Nelson

Inventor's signature: _____ Date: _____

Residence: Cheshire, Great Britain Citizenship: Great Britain

Post Office Address: 7 Stonyford Road, Sale

Cheshire, Great Britain M33 2FJ

ASSIGNMENT

WHEREAS, we, **Michael Crothers, Stephen C. Duckham, and Gordon Nelson**, have made a certain new and useful invention for which we are about to make application for Letters Patent of the United States, which application may be identified in the United States Patent Office as Serial No. _____, filed September 23, 2005 and entitled:

Pharmaceutical Composition Comprising Fungal Cell or Fragment Thereof

(Executed: _____)

WHEREAS, **MICAP Plc**, a corporation organized and existing under and by virtue of the laws of the Country of Great Britain and having its principal place of business in Newton-le-Willows, Great Britain, is desirous of acquiring the entire interest in and to said invention, said application and the Letters Patent to be obtained therefore.

NOW, THEREFORE, for and in consideration of One Dollar and other good and valuable consideration to us in hand paid, the receipt and sufficiency whereof are hereby acknowledged, we have sold, assigned, and set over and by these presents do hereby sell, assign, and set over unto the said **MICAP Plc**, and said assignee's legal representative, successors and assigns, the entire right, title and interest in and to any and all applications including the aforesaid application, for Letters Patent heretofore and hereafter filed in the United States or any other country and which may be based in whole or in part on said inventions and discoveries, and in and to any and all Letters Patent heretofore or hereafter granted by the United States or any other country and which may be based in whole or in part on said inventions and discoveries, said assignment including the right to file and prosecute any and all such applications and also including the right to sue and recover for any and all such applications and also including the right to sue and recover for any and all infringements of said patents; and request the Commissioner of Patents to issue said Letters Patent to the above-mentioned assignee agreeably with the terms of this assignment.

WE HEREBY AUTHORIZE the law firm of Boyle, Fredrickson, Newholm, Stein & Gratz, S.C. the power to insert in this instrument any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent Office for recordation of this document.

UPON SAID CONSIDERATION, we do hereby covenant for ourselves and our heirs, legal representatives and assigns that neither we nor any of our said heirs, legal representatives or assigns have or will execute any instrument or perform any act in conflict herewith and that we or our said heirs, legal representatives and assigns will at all times do such acts and execute such papers, without expense to ourselves, as may be necessary or desirable in order to fully protect said inventions and discoveries for the benefit of said assignee, its successors or assigns, and to otherwise carry into full force and effect the text and interest of this assignment.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals.

Date: _____ (SEAL)
Michael Crothers

Date: _____ (SEAL)
Stephen C. Duckham

Date: _____ (SEAL)
Gordon Nelson